

**CHARTER REVIEW COMMITTEE
MEETING MINUTES
September 09, 2008**

CALL TO ORDER

7:00 p.m.

Chairman Nielson

ROLL CALL

Aboud, Gerry Vice-Chair, excused
Brandt, Susan, excused
Fiske, Jack
Frank, Steve
Hazelwood, Lee

Hemshorn, Catherine
Honeywell, Virginia L.
Kingsley, Alan
Nielson, David, Chairman
Quigley, Brian

STAFF:

Don Eubank, City Administrator
Rebecca Petersen, Deputy City Recorder

FACILITATOR: Nancy Boyer, Mid-Willamette Valley Council of Governments

Approval of August 26, 2008 Meeting Minutes:

MOTION: From Mr. Hazelwood, and seconded by Mr. Kingsley, to approve the Charter Review Committee Meeting Minutes of August 26, 2008 as presented. Motion passed: 8:0.

Committee Resignations: With the recent resignations of Tod Nau and Todd Jensen from the Charter Review Committee, the current members unanimously agreed to keep the committee at eight (8) members, and that five (5) members would constitute a quorum.

Information Regarding Forms of Municipal Government: Ms. Boyer distributed a handout regarding "Different Forms of Local Government", Strong Mayor, Commission, Mayor-Council, and Council-Manager. Stayton has a Council-Manager form of government.

Continue Review of City of Stayton Charter by Chapter: The committee reviewed Chapter 1 – Name and Boundaries, Sections 1 through 4; Chapter II – Powers, Sections 4-6; Chapter III Form of Government, Sections 7-10. (see attached changes approved by committee)

Public Comment: A public sign up sheet was provided for those persons interested in addressing the committee at the end of the meeting; there were none.

Mr. Kingsley requested that the flag salute take place prior to the commencement of the Charter Review Committee Meetings.

Adjourn: There being no further business to come before the committee the meeting was adjourned.

Respectfully submitted by Rebecca Petersen, Deputy City Recorder on this 30th day of September 2008.

Notes regarding Proposed City of Stayton Charter

Preamble -- Utilized preamble from LOC Model Charter – According to the footnote – this uses the “voters” language of Article XI, section 2 of the Oregon Constitution and makes clear the intent to use all the home rule power. Although, the current Stayton City Charter does not specifically refer to this section as a Preamble – it appears to be the predominant name for this section.

Chapter I – Names and Boundaries-

- **Section 1 – Title of Enactment** – Committee approved utilizing the same language as the current charter – appropriate date needs to be inserted.
- **Section 2 – Name of City** – Committee approved utilizing the same language as the current charter.
- **Section 3 – Boundaries** – Committee approved utilizing the LOC Model Charter as a guide for maintenance of up-to-date boundaries.
- **Section 4** – Committee approved adding voter approval of annexations into the Charter – the exact wording and placement in the Charter was not decided by the Committee at that time.
 - **City of Newberg** – Has this language – under Boundaries – *Unless mandated by state law, annexation, delayed or otherwise, to the City of Newberg, may only be approved by a majority of the voters.”*
 - **City of North Plains** – Has this language – after Boundaries in Section entitled – Voluntary Annexations – *All annexations not required by state law must be submitted to a city-wide election and obtain approval by a majority of those voting in the election before the annexations becomes effective.*

Chapter II – Powers

- **Section 4 – Powers of the City** – Committee approved adopting the LOC Model Charter language – language is very close to that currently in the Stayton Charter. City Attorney recommended the use of “... expressly or impliedly grant or allow **municipalities**, ...”
- **Section 5 – Construction of Charter** – The Committee requested the City Attorney's advice regarding adopting the language in the LOC Model Charter and specifically asked if there was anything else that needed to be changed. The City Attorney okayed the language with the only change of adding “.. **powers and authority** ...”
- **Section 6 – Distribution** (This section is entitled *Where Powers Vested* and appears in *Chapter II – Form of Government* – but appears more consistent in this Chapter. Recommend utilizing LOC Model Charter Language. Some changes to LOC Model Charter language based on input of City Attorney.

Chapter III – Form of Government

- **Section 7 – Council – Committee** approved maintaining five (5) councilors, so maintained current Charter language.
- **Section 8 – Councilors** – Removed the language “...at the first biennial general election after this charter is adopted...” as it is no longer necessary. Also removed all reference to term limits per direction of the Committee.
- **Section 9 – Mayor** – This section regarding term and term limits for the Mayor will be taken up by the Committee at the first meeting in October.
- **Section 10 – Qualifications of Elected Officials** – Changed the residency requirement from 30 days to one year as approved by the Committee. Added section which states that neither the mayor nor a councilor may be employed by the city. Clarified that an elected official can volunteer for the City.